

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

ELIZABETH LONG,

*Plaintiff,*

vs.

CAT EXTERIORS, KENSINGTON  
MARKETING GROUP,

*Defendants.*

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SA-22-CV-00923-JKP

**ORDER**

Before the Court in the above-styled cause of action are Defendants' Motion for Extension of Time to Respond to Plaintiff's Complaint [#9], Plaintiff's Motion to Strike Defendant's Motion for Extension of Time to Respond to Plaintiff's Complaint [#10], Plaintiff's Motion for Time Extension for Defense Counsel [#12], and Plaintiff's Application for Permission to File Electronically [#14]. In reviewing these motions, the Court has also considered Plaintiff's Advisory [#15].

By their motion, Defendants ask the Court for a 28-day extension of time to file a responsive pleading to Plaintiff's *pro se* Complaint in order to pursue the possibility of settlement with Plaintiff. Plaintiff's motion to strike asks the Court to strike Defendants' motion on the basis that Defendants failed to obtain Plaintiff's written consent prior to serving the motion by email. *See* Fed. R. Civ. P. 5(b)(2) (requiring consent in writing to serve filings by electronic means other than electronic filing). Plaintiff's second motion indicates that she opposes the 28-day extension requested by Defendants but moves the Court to grant Defendants

a 14-day extension. Plaintiff also asks the Court for permission to participate in electronic filing in this case.

The Court will grant Defendants' motion and give Defendant until November 8, 2022, to file a responsive pleading and therefore deny Plaintiff's request to limit the extension to 14 days. The Court will also deny Plaintiff's motion to strike. The record reflects that the Court served Plaintiff with a copy of the motion by mail, even if Defendants served the filing by email. To avoid future issues with service, the Court will grant Plaintiff permission to participate in electronic filing.

**IT IS THEREFORE ORDERED** that Defendants' Motion for Extension of Time to Respond to Plaintiff's Complaint [#9] is **GRANTED**.

**IT IS FURTHER ORDERED** that Defendants shall move or plead in response to Plaintiff's Complaint on or before **November 8, 2022**.

**IT IS FURTHER ORDERED** that Plaintiff's Motion to Strike Defendant's Motion for Extension of Time to Respond to Plaintiff's Complaint [#10] is **DENIED**.

**IT IS FURTHER ORDERED** that Plaintiff's Motion for Time Extension for Defense Counsel [#12] is **DENIED**.

**IT IS FINALLY ORDERED** that Plaintiff's Application for Permission to File Electronically [#14] is **GRANTED**. Plaintiff is directed to contact the Office of the District Clerk to obtain the e-filing and e-noticing registration form and to submit the fully completed form to the Clerk. Under standard procedures, the registration form will be processed by the Clerk, who has the responsibility of verifying, approving, and effectuating e-filing and e-noticing of court documents.

**IT IS SO ORDERED.**

SIGNED this 17th day of October, 2022.



ELIZABETH S. ("BETSY") CHESTNEY  
UNITED STATES MAGISTRATE JUDGE